

Assembly Bill No. 1746

CHAPTER 1033

An act relating to class size reduction, and making an appropriation therefor.

[Approved by Governor September 30, 1998. Filed
with Secretary of State September 30, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1746, Escutia. Class size reduction.

Existing law establishes the Class Size Reduction Program to provide funding to school districts to reduce class size in kindergarten and grades 1 to 3, inclusive, to not more than 20 pupils per certificated teacher.

This bill would make an appropriation by providing that any unexpended and unencumbered funds appropriated for the purposes of class size reduction in the 1996–97 and 1997–98 fiscal years be made available on a one-time basis to assist school districts that meet certain requirements implement class size reduction, in an amount of \$40,000 per class, as described. To the extent the funds appropriated by this bill are allocated to a school district, as defined by existing law for purposes of Section 8 of Article XVI of the California Constitution, those funds may be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. (a) Any unexpended and unencumbered funds appropriated for the purposes of Chapter 6.1 (commencing with Section 52120) of Part 28 of the Education Code, Chapter 19 (commencing with Section 17200) of Part 10 of the Education Code, and Chapter 23 (commencing with Section 17770) of Part 10 of the Education Code, as that chapter read prior to June 30, 1999, for the 1996–97 and 1997–98 fiscal years shall be made available, on a one-time basis, to assist eligible school districts. The total amount of available funds shall be equally divided between the priorities described in paragraphs (1) and (2), as follows:

(1) To assist eligible school districts in implementing approved comprehensive plans to mitigate the facilities impact of class size reduction, as described in Section 52122.7, for the 1997–98 school year. Each school district that elects to apply for funding under this

subdivision shall certify that all funds received will meet the conditions of the plan or an amended plan approved by the State Board of Education that meets the criteria of Section 52122.7. Funds approved pursuant to this paragraph shall be used solely for the purposes of facilities related costs associated with implementation of the Class Size Reduction Program at schools with pupil density of at least 200 pupils per acre, as described in Section 52122.6.

(2) To assist school districts that have fulfilled both of the following criteria:

(A) Fully implemented three grade levels of class size reduction in the 1996–97 fiscal year.

(B) Expanded the Class Size Reduction Program in the 1997–98 fiscal year.

(b) A school district that meets the requirements described in paragraph (2) of subdivision (a) shall be eligible to receive forty thousand dollars (\$40,000) for each class established for the purpose of expanding the Class Size Reduction Program in the 1997–98 fiscal year, beyond the number of new classes established in the 1996–97 fiscal year and for classes not previously funded.

(c) Each school district that elects to apply for funding under paragraph (2) of subdivision (a) shall submit an application, on forms and in a manner prescribed by the Superintendent of Public Instruction, to the Superintendent of Public Instruction. The application shall include the school district's certification of each of the following items as a condition of apportionment:

(1) Certification of the number of new Option One classes established by the school district pursuant to the Class Size Reduction Program solely for the purpose of reducing class size in kindergarten and grades 1 to 3, inclusive, in the 1996–97 fiscal year.

(2) Certification that the school district fully implemented the Class Size Reduction Program in the 1996–97 fiscal year.

(3) Certification of the number of new Option One classes established by the school district pursuant to the Class Size Reduction Program solely for the purpose of reducing class size in kindergarten and grades 1 to 3, inclusive, in the 1997–98 fiscal year.

(4) Certification that, for the grades in which classes were reduced, the district meets eligibility requirements pursuant to subdivision (b) of Section 52122.1.

(d) Funds allocated to school districts pursuant to this section shall be expended solely for the purpose of facilities-related costs associated with the implementation of the Class Size Reduction Program.

(e) Funds may not be allocated to school districts pursuant to this section for the purpose of assisting school districts in implementing Option Two, as described in paragraph (2) of subdivision (b) of Section 52122.

(f) If available funds are insufficient to fund all applicant school districts pursuant to this section, a prorated reduction shall be applied to the amount described in subdivision (b) for each class.

(g) If funds remain available after funding all eligible applications pursuant to this section, the Superintendent of Public Instruction shall apportion the remaining funding in increments of forty thousand dollars (\$40,000) to eligible school districts for each new Option One class established in the 1997–98 school year for which the district had not previously received funding pursuant to Section 52122.1.

(h) It is the intent of the Legislature that, for each new teaching station a school district establishes for the purpose of class size reduction for which the school district did not receive a facilities grant under this section or any previous appropriation for this purpose, the school district shall be eligible for facilities funding from any state general obligation bond measure approved for that purpose.

